JS 44 (Rev. 10/20)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

Ismael Rosa, Jr.

DEFENDANTS

ESA Management, LLC and Three Wall Capital, LLC.

(b) County of Residence of First Listed Plaintiff __El Paso County__
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant __Mecklenburg County__
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys *(Firm Name, Address, and Telephone Number)*
Tim C. Schurmann, Slocumb Law Firm, PLLC
1910 Pacific Ave., Suite 15700, Dallas, Texas 75201
469-270-8585

Attorneys *(If Known)*
Jerald L. Butler, Law Office of James A. Lawrence
105 Decker Court, Suite 150, Irving, Texas 75062
972-536-7306

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

☐ 1 U.S. Government Plaintiff	☐ 3 Federal Question *(U.S. Government Not a Party)*
☐ 2 U.S. Government Defendant	☒ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☒ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☒ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance	**PERSONAL INJURY**	☐ 625 Drug Related Seizure of Property 21 USC 881	☐ 422 Appeal 28 USC 158	☐ 375 False Claims Act
☐ 120 Marine	☐ 310 Airplane	☐ 690 Other	☐ 423 Withdrawal 28 USC 157	☐ 376 Qui Tam (31 USC 3729(a))
☐ 130 Miller Act	☐ 315 Airplane Product Liability **PERSONAL INJURY** ☐ 365 Personal Injury - Product Liability			☐ 400 State Reapportionment
☐ 140 Negotiable Instrument	☐ 320 Assault, Libel & Slander ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability		**PROPERTY RIGHTS**	☐ 410 Antitrust
☐ 150 Recovery of Overpayment & Enforcement of Judgment	☐ 330 Federal Employers' Liability ☐ 368 Asbestos Personal Injury Product Liability		☐ 820 Copyrights	☐ 430 Banks and Banking
☐ 151 Medicare Act	☐ 340 Marine		☐ 830 Patent	☐ 450 Commerce
☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)	☐ 345 Marine Product Liability **PERSONAL PROPERTY**		☐ 835 Patent - Abbreviated New Drug Application	☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations
☐ 153 Recovery of Overpayment of Veteran's Benefits	☐ 350 Motor Vehicle ☐ 370 Other Fraud	**LABOR**	☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016	☐ 480 Consumer Credit (15 USC 1681 or 1692)
☐ 160 Stockholders' Suits	☐ 355 Motor Vehicle Product Liability ☐ 371 Truth in Lending	☐ 710 Fair Labor Standards Act		☐ 485 Telephone Consumer Protection Act
☐ 190 Other Contract	☐ 380 Other Personal Property Damage	☐ 720 Labor/Management Relations	**SOCIAL SECURITY**	☐ 490 Cable/Sat TV
☐ 195 Contract Product Liability	☒ 360 Other Personal Injury ☐ 385 Property Damage Product Liability	☐ 740 Railway Labor Act	☐ 861 HIA (1395ff)	☐ 850 Securities/Commodities/ Exchange
☐ 196 Franchise	☐ 362 Personal Injury - Medical Malpractice	☐ 751 Family and Medical Leave Act	☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g))	☐ 890 Other Statutory Actions
REAL PROPERTY	**CIVIL RIGHTS** **PRISONER PETITIONS**	☐ 790 Other Labor Litigation	☐ 864 SSID Title XVI ☐ 865 RSI (405(g))	☐ 891 Agricultural Acts
☐ 210 Land Condemnation	☐ 440 Other Civil Rights **Habeas Corpus:**	☐ 791 Employee Retirement Income Security Act		☐ 893 Environmental Matters
☐ 220 Foreclosure	☐ 441 Voting ☐ 463 Alien Detainee		**FEDERAL TAX SUITS**	☐ 895 Freedom of Information Act
☐ 230 Rent Lease & Ejectment	☐ 442 Employment ☐ 510 Motions to Vacate Sentence		☐ 870 Taxes (U.S. Plaintiff or Defendant)	☐ 896 Arbitration
☐ 240 Torts to Land	☐ 443 Housing/ Accommodations ☐ 530 General		☐ 871 IRS—Third Party 26 USC 7609	☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
☐ 245 Tort Product Liability	☐ 445 Amer. w/Disabilities - Employment ☐ 535 Death Penalty **Other:**	**IMMIGRATION**		☐ 950 Constitutionality of State Statutes
☐ 290 All Other Real Property	☐ 446 Amer. w/Disabilities - Other ☐ 540 Mandamus & Other	☐ 462 Naturalization Application ☐ 465 Other Immigration Actions		
	☐ 448 Education ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN *(Place an "X" in One Box Only)*

☐ 1 Original Proceeding	☒ 2 Removed from State Court	☐ 3 Remanded from Appellate Court	☐ 4 Reinstated or Reopened	☐ 5 Transferred from Another District *(specify)*	☐ 6 Multidistrict Litigation - Transfer	☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*:
28 U.S.C 1332(a) and 1441(a) and 1446

Brief description of cause:
Premises Liability Personal Injury Action

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):
JUDGE _____ DOCKET NUMBER _____

DATE
10/14/2021

SIGNATURE OF ATTORNEY OF RECORD
[signature]

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____